

108TH CONGRESS  
2D SESSION

# S. 1530

---

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2004

Referred to the Committee on Resources

---

## AN ACT

To provide compensation to the Lower Brule and Crow Creek  
Sioux Tribes of South Dakota for damage to tribal land  
caused by Pick-Sloan projects along the Missouri River.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Tribal Parity Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Pick-Sloan Missouri River Basin Pro-  
4 gram (authorized by section 9 of the Act of Decem-  
5 ber 22, 1944 (commonly known as the “Flood Con-  
6 trol Act of 1944”) (58 Stat. 891)), was approved to  
7 promote the general economic development of the  
8 United States;

9 (2) the Fort Randall and Big Bend dam and  
10 reservoir projects in South Dakota—

11 (A) are major components of the Pick-  
12 Sloan Missouri River Basin Program; and

13 (B) contribute to the national economy;

14 (3) the Fort Randall and Big Bend projects in-  
15 undated the fertile bottom land of the Lower Brule  
16 and Crow Creek Sioux Tribes, which greatly dam-  
17 aged the economy and cultural resources of the  
18 Tribes;

19 (4) Congress has provided compensation to sev-  
20 eral Indian tribes, including the Lower Brule and  
21 Crow Creek Sioux Tribes, that border the Missouri  
22 River and suffered injury as a result of 1 or more  
23 Pick-Sloan Projects;

24 (5) the compensation provided to those Indian  
25 tribes has not been consistent;

1           (6) Missouri River Indian tribes that suffered  
 2           injury as a result of 1 or more Pick-Sloan Projects  
 3           should be adequately compensated for those injuries,  
 4           and that compensation should be consistent among  
 5           the Tribes; and

6           (7) the Lower Brule Sioux Tribe and the Crow  
 7           Creek Sioux Tribe, based on methodology deter-  
 8           mined appropriate by the General Accounting Office,  
 9           are entitled to receive additional compensation for  
 10          injuries described in paragraph (6), so as to provide  
 11          parity among compensation received by all Missouri  
 12          River Indian tribes.

13 **SEC. 3. LOWER BRULE SIOUX TRIBE.**

14          Section 4(b) of the Lower Brule Sioux Tribe Infra-  
 15          structure Development Trust Fund Act (Public Law 105–  
 16          132; 111 Stat. 2565) is amended by striking  
 17          “\$39,300,000” and inserting “\$186,822,140”.

18 **SEC. 4. CROW CREEK SIOUX TRIBE.**

19          Section 4(b) of the Crow Creek Sioux Tribe Infra-  
 20          structure Development Trust Fund Act of 1996 (Public

- 1 Law 104–223; 110 Stat. 3027) is amended by striking
- 2 “\$27,500,000” and inserting “\$105,917,853”.

Passed the Senate November 19, 2004.

Attest:

EMILY J. REYNOLDS,  
*Secretary.*